

In accordance with Fed. R. Bankr. P. 8009(a)(2) and Fed. R. App. P. 6(b)(2)(B)(ii), Appellee BlockFi, Inc. (“Appellee”) respectfully submits the following counter-designation of additional items to be included on the record on appeal. Appellant George J. Gerro (“Appellant”) appeals from the August 30, 2024 Order of the U.S. District Court for the District of New Jersey (Hon. Zahid N. Quraishi) [*George J. Gerro v. BlockFi Inc.*, Case No. 3:23-cv-18740-ZNQ at ECF No. 11] affirming the Bankruptcy Court’s *Order Granting Debtors’ Fourth Omnibus Objection to Certain Claims (duplicates, book and records, debtor not liable) and Denying Gerro’s Cross-Motion to Estimate* [ECF No. 1431], and which appeal has been docketed as *George J. Gerro. v. BlockFi, Lending*, No. 24-2637, in the United States Court of Appeals for the Third Circuit [ECF No. 2382].

On September 3, 2024, along with his Notice of Appeal, Appellant included his Designation of Record [ECF No. 2382]. Notwithstanding, Appellant has not indicated it has ordered the relevant transcripts or otherwise filed a certificate as required by Fed. R. Bankr. P. 8009(b) and Fed. R. App. P. 10(b)(1).

**DESIGNATION OF ADDITIONAL ITEMS
TO BE INCLUDED IN RECORD ON APPEAL**

Appellee cross-designates the following items to be included in the record on appeal, including the relevant transcripts that have already been ordered and filed on the record of the Bankruptcy Court, as noted below:

ECF No.	Filing Date	Description
117	12/16/22	Notice Of Motion For Entry Of An Order (I) Granting Partial Relief From The Automatic Stay (11 U.S.C. §§ 362(d)(1)) And Discharge Injunction (11 U.S.C. § 524(a)) With Respect To Certain Non-Core Proceedings; And (II) Extending Time To File A Proof Of Claim (F.R.B.P. 3003(c)(3))
121	12/19/22	Debtors’ Motion For Entry Of An Order (I) Authorizing The Debtors To (A) Honor Withdrawals From Wallet Accounts, (B) Update The

ECF No.	Filing Date	Description
		User Interface To Properly Reflect Transactions And Assets As Of The Platform Pause, And (C) Conduct Ordinary Course Reconciliation Of Accounts, And (II) Granting Related Relief
173	12/30/22	Debtors' Response And Objection To Motion And Memorandum Of Law In Support Of Motion Of George J. Gerro For Entry Of An Order (I) Granting Partial Relief From The Automatic Stay (11 U.S.C. §§ 362(d)(1)) And Discharge Injunction (11 U.S.C. § 524(a)) With Respect To Certain Non-Core Proceedings; And (II) Extending Time To File A Proof Of Claim (F.R.B.P. 3003(c)(3))
195	1/5/23	George J. Gerro's Reply And Response To Debtors' Objection To Motion Of George J. Gerro For Entry Of An Order (I) Granting Partial Relief From The Automatic Stay (11 U.S.C. §§ 362(d)(1)) And Discharge Injunction (11 U.S.C. § 524(a)) With Respect To Certain Non-Core Proceedings; And (II) Extending Time To File A Proof Of Claim (F.R.B.P. 3003(c)(3))
204	1/6/23	Declaration Of Richard Kanowitz In Support Of Debtors' Response And Objection To Motion And Memorandum Of Law In Support Of Motion Of George J. Gerro For Entry Of An Order (I) Granting Partial Relief From The Automatic Stay (11 U.S.C. §§ 362(d)(1)) And Discharge Injunction (11 U.S.C. § 524(a)) With Respect To Certain Non-Core Proceedings; And (II) Extending Time To File A Proof Of Claim (F.R.B.P. 3003(c)(3))
205	1/6/23	Debtors' Sur-Reply To George J. Gerro's Reply And To Debtors' Objection To Motion And Memorandum Of Law In Support Of Motion Of George J. Gerro For Entry Of An Order (I) Granting Partial Relief From The Automatic Stay (11 U.S.C. §§ 362(d)(1)) And Discharge Injunction (11 U.S.C. § 524(a)) With Respect To Certain Non-Core Proceedings; And (II) Extending Time To File A Proof Of Claim (F.R.B.P. 3003(c)(3))
230	1/10/23	Transcript of Hearing Held 1/9/23
238	1/11/23	Order Denying Motion Of George J. Gerro For Entry Of An Order (I) Granting Partial Relief From The Automatic Stay (11 U.S.C. §§ 362(d)(1)) And Discharge Injunction (11 U.S.C. § 524(a)) With Respect To Certain Non-Core Proceedings; And (II) Extending Time To File A Proof Of Claim (F.R.B.P. 3003(c)(3))
609	3/13/23	Order Granting Debtors' Motion For Entry Of An Order (A) Approving The (I) Omnibus Claims Objection Procedures And Form Of Notice, (II) Omnibus Substantive Claims Objections, And (III) Satisfaction Procedures And Form Of Notice, (B) Waiving Bankruptcy Rule 3007(E), And (C) Granting Related Relief
822	5/2/23	Amended Declaration Of Amit Cheela, Chief Financial Officer Of BlockFi Inc., In Support Of The Debtors' Motion For Entry Of An Order (I) Authorizing The Debtors To (A) Honor Withdrawals From Wallet Accounts, (B) Update The User Interface To Properly Reflect

ECF No.	Filing Date	Description
		Transactions And Assets As Of The Platform Pause, And (C) Conduct Ordinary Course Reconciliation Of Accounts, And (II) Granting Related Relief
871	5/12/23	Transcript Of Hearing Held 5/11/23
923	5/27/23	Order (I) Authorizing The Debtors To (A) Honor Withdrawals From Wallet Accounts, (B) Update The User Interface To Properly Reflect Transactions And Assets As Of The Platform Pause, And (C) Conduct Ordinary Course Reconciliation Of Accounts, And (II) Granting Related Relief
1149	7/4/23	Affidavit Of Service
1289	7/27/23	Notice Of Motion Of Creditor George J. Gerro For An Order Temporarily Allowing Claim No. 12386 Pursuant To F.R.B.P. Rule 3018(a) For The Sole Purpose Of Voting On A Chapter 11 Plan
1306	8/2/23	Order (I) Conditionally Approving The Adequacy Of The Disclosure Statement, (II) Approving The Solicitation And Notice Procedures, (III) Approving The Forms Of Ballots And Notices In Connection Therewith, And (IV) Scheduling Certain Dates With Respect Thereto
1309	8/3/23	Third Amended Joint Chapter 11 Plan Of BlockFi Inc. And Its Debtor Affiliates Pursuant To Chapter 11 Of The Bankruptcy Code
1310	8/3/23	Disclosure Statement Relating to the Third Amended Joint Chapter 11 Plan Of BlockFi Inc. And Its Debtor Affiliates Pursuant To Chapter 11 Of The Bankruptcy Code
1333	8/9/23	Proof Of Publication
1386	8/22/23	Affidavit Of Service
1540	9/20/23	Appellant George J. Gerro's Statement Of Issues On Appeal And Designation Of Items To Be Included In The Record On Appeal As To Appellant George J. Gerro's Notice Of Appeal (Docket No. 1453) From An Order Disallowing Proof Of Claim Number 12386 (Docket No. 1431)
1573	9/22/23	Affidavit Of Service Of Solicitation Materials
1607	9/25/23	Declaration Of James Daloia Of Kroll Restructuring Administration LLC Regarding The Solicitation And Tabulation Of Votes On The Third Amended Joint Chapter 11 Plan Of BlockFi Inc. And Its Debtor Affiliates Pursuant To Chapter 11 Of The Bankruptcy Code
1609	9/25/23	Notice Of Filing Of Additional Technical Modifications To Third Amended Joint Chapter 11 Plan Of BlockFi Inc. And Its Debtor Affiliates Pursuant to Chapter 11 Of The Bankruptcy Code
1621	9/28/23	Transcript Of Hearing Held 9/26/23
1659	10/4/23	Debtors-Appellees' Counter-Designation of Additional Items To Be Included In Record On Appeal
1660	10/3/23	Revised Finding Of Fact, Conclusions Of Law, And Order (I) Approving The Disclosure Statement Relating To The Third Amended Joint Chapter 11 Plan Of BlockFi Inc. And Its Debtor

ECF No.	Filing Date	Description
		Affiliates Pursuant To Chapter 11 Of The Bankruptcy Code On A Final Basis And (II) Confirming The Third Amended Joint Chapter 11 Plan Of BlockFi Inc. And Its Debtor Affiliates Pursuant To Chapter 11 Of The Bankruptcy Code (Additional Technical Modifications)
1744	10/17/23	Affidavit Of Service
1788	10/24/23	Notice Of (I) Entry Of The Order (A) Approving The Disclosure Statement On A Final Basis And (B) Confirming The Third Amended Joint Chapter 11 Plan Of BlockFi Inc. And Its Debtor Affiliates Pursuant To Chapter 11 Of The Bankruptcy Code (Additional Technical Modifications) And (II) Occurrence Of The Effective Date
1858	11/8/23	Transcript of Hearing Held 11/6/23
2364	8/9/24	Notice Of Disputed Claims Reserve
2367	8/15/24	George J. Gerro's Objection to Debtor BlockFi Lending LLC's Request to Hold Zero Dollars (\$0) in Reserve for Gerro's Claim Currently Pending Appeal Before the United States Federal Court for the District of New Jersey, Entitled <i>In re BlockFi (Gerro v. BlockFi Lending LLC)</i> Case No. 23-CV-18740
2377	8/23/24	Wind-Down Debtors' Omnibus Response to Objections to Notice of Disputed Claims Reserve
2381	9/3/24	District Court Letter Order
2382	9/3/24	Notice of Appeal to United States Court of Appeals for the Third Circuit
2385	9/6/24	Transcript of Hearing Held 9/6/24
2389	9/10/24	Order Overruling Objections of George J. Gerro and John. W. Tubergen and Approving Notice of Disputed Claims Reserve

RESERVATION

Appellee reserves the right to amend, modify, and/or supplement the foregoing Counter-Designation.

Dated: September 17, 2024

Respectfully submitted,

GENOVA BURNS LLC

By: /s/ Daniel M. Stolz

Daniel M. Stolz, Esq.
Donald W. Clarke, Esq.
Lawrence Bluestone, Esq.
110 Allen Rd., Suite 304

Basking Ridge, NJ 07920
(973) 230-2095
DStolz@genovaburns.com
DClarke@genovaburns.com
LBluestone@genovaburns.com

BROWN RUDNICK LLP

Kenneth J. Aulet, Esq. (admitted *pro hac vice*)
Seven Times Square
New York, New York 10036
(212) 209-4800
kaulet@brownrudnick.com

BROWN RUDNICK LLP

Tristan Axelrod, Esq. (admitted *pro hac vice*)
One Financial Center
Boston, MA 02111
(617)856-8300
taxelrod@brownrudnick.com

General Counsel to the Plan Administrator

HAYNES AND BOONE, LLP

Richard S. Kanowitz, Esq.
Lauren M. Sisson, Esq.
30 Rockefeller Plaza, 26th Floor
New York, New York 10112
(212) 659-7300
richard.kanowitz@haynesboone.com
lauren.sisson@haynesboone.com

Attorneys for the Plan Administrator